

CHAPTER 26

LABOR COMMISSIONER — CONSTRUCTION CONTRACTORS AND OTHER PROVISIONS

H.F. 398

AN ACT relating to subject matter under the regulatory authority of the labor commissioner, including the construction contractors law, and making nonsubstantive Code corrections relating to the child labor law.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 91C.1, subsection 1, Code 1997, is amended to read as follows:

1. As used in this chapter, unless the context otherwise requires, “contractor” means a person who engages in the business of construction, as the term “construction” is defined in ~~section 345-3.82 (96)~~, the Iowa Administrative Code, for purposes of the Iowa employment security law. However, a person who earns less than one thousand dollars annually or who performs work or has work performed on the person’s own property is not a contractor for purposes of this chapter. The state, its boards, commissions, agencies, departments, and its political subdivisions including school districts and other special purpose districts, are not contractors for purposes of this chapter.

Sec. 2. Section 91C.7, subsection 5, Code 1997, is amended to read as follows:

5. If it is determined that this section may cause denial of federal funds which would otherwise be available, or ~~would is~~ otherwise be inconsistent with requirements of federal law, this ~~subsection~~ section shall be suspended, but only to the extent necessary to prevent denial of the funds or to eliminate the inconsistency with federal requirements.

Sec. 3. Section 92.9, unnumbered paragraph 1, Code 1997, is amended to read as follows:

The provisions of sections 92.8 and 92.10 shall not apply to pupils working under an instructor in ~~a manual training an industrial arts~~ department in the public schools of the state or under an instructor in a school shop, or industrial plant, or in a course of vocational education approved by the board for vocational education, or to apprentices provided they are employed under all of the following conditions:

Sec. 4. Section 92.9, subsection 3, Code 1997, is amended to read as follows:

3. ~~Such~~ The work is intermittent and for short periods of time and is under the direct and close supervision of a ~~journeyman~~ journeyperson as a necessary part of ~~such~~ apprentice training.

Approved April 11, 1997

CHAPTER 27

UNFIRED STEAM PRESSURE VESSELS

H.F. 399

AN ACT relating to inspections of unfired steam pressure vessels.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 89.3, Code 1997, is amended by adding the following new subsection and renumbering the subsequent subsections:

NEW SUBSECTION. 10. Internal inspections of unfired steam pressure vessels operating in excess of fifteen pounds per square inch shall be conducted once every two years. External inspections shall be conducted annually. An internal inspection of an unfired steam pressure vessel may be required at any time by the commissioner upon the observation by an inspector of conditions, enumerated by the commissioner through rules, warranting an internal inspection.

Sec. 2. **REPEAL.** 1996 Iowa Acts, chapter 1149, section 2, is repealed effective December 31, 1997.

Approved April 11, 1997

CHAPTER 28

STATE GOVERNMENT PERSONNEL PROCEDURES

H.F. 401

AN ACT relating to state government personnel procedures including job classifications, pay plans, employee recall from layoff, and abolishing the personnel commission.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 19A.1, subsection 3, paragraph a, Code 1997, is amended by striking the paragraph.

Sec. 2. Section 19A.2, subsection 2, Code 1997, is amended by striking the subsection.

Sec. 3. Section 19A.9, unnumbered paragraph 1, Code 1997, is amended to read as follows:

The ~~personnel commission~~ director shall adopt and may amend rules for the administration and implementation of this chapter in accordance with chapter 17A. ~~The director shall prepare and submit proposed rules to the commission.~~ Rulemaking shall be carried out with due regard to the terms of collective bargaining agreements. A rule shall not supersede a provision of a collective bargaining agreement negotiated under chapter 20. The rules shall provide:

Sec. 4. Section 19A.9, subsections 1, 2, 14, 16, and 23, Code 1997, are amended by striking the subsections and inserting in lieu thereof the following:

1. For the preparation, maintenance, and revision of a job classification plan that encompasses each job in the executive branch, excluding job classifications under the state board of regents, based upon assigned duties and responsibilities, so that the same general qualifications may reasonably be required for and the same pay plan may be equitably applied to all jobs in the same job classification. The director shall classify the position of every employee in the executive branch, excluding employees of the state board of regents, into one of the classes in the plan. An appointing authority or employee adversely affected by a job classification or reclassification may file an appeal with the director. The classification or reclassification of a position that would cause the expenditure of additional salary funds shall not become effective if the expenditure of funds would be in excess of the total amount budgeted for the department of the appointing authority until budgetary approval has been obtained from the director of the department of management.

When the public interest requires a diminution or increase of employees in any position